UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,387	07/17/2003	Geoffrey Wehrman	080068.0173	8762
5073 BAKER BOTT	7590 07/22/201 <sup>1</sup> <b>S</b> L.L.P.	EXAMINER		
2001 ROSS AV	ENUE	BLACK, LINH		
SUITE 600 DALLAS, TX 75201-2980			ART UNIT	PAPER NUMBER
			2159	
			NOTIFICATION DATE	DELIVERY MODE
			07/22/2010	ELECTRONIC

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail1@bakerbotts.com glenda.orrantia@bakerbotts.com

## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/620,387	WEHRMAN ET AL.	
Examiner	Art Unit	
LINH BLACK	2159	

NOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS 3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amended limitations in claims 1, 5, 9-10 require further searches and considerations. (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration:	The MAILING DATE of this communication appears on	the cover sheet with the correspondence address
application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for cillowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.131; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:  a) The period for reply exprise a months from the mailing date of the final rejection. The period for reply exprise a month of the period for reply exprise and the period for the final rejection, which were the period for the final rejection, which were the period for the final rejection of the final rejection of the final rejection and the period for the final rejection of the final	THE REPLY FILED 12 July 2010 FAILS TO PLACE THIS APPLICATION	ON IN CONDITION FOR ALLOWANCE.
a) The period for reply expiresmonths from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection, no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  Examer Note: If bot is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of firm any be obtained under 37 OFR 1.135(a). The date on which the petition under 37 OFR 1.135(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in (b) shove, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any examend patent treat adjustment. See 37 CFR 1.73(a), or any extension thereof (37 CFR 4.1.37(a), to avoid dismissal of the date of filing the Notice of Appeal was filed on	application, applicant must timely file one of the following replies: application in condition for allowance; (2) a Notice of Appeal (with for Continued Examination (RCE) in compliance with 37 CFR 1.1	(1) an amendment, affidavit, or other evidence, which places the appeal fee) in compliance with 37 CFR 41.31; or (3) a Request
b)		the final rejection
MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a) The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been flied is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from (1) the experient of date of the shortened statutory period for peply originally set in the final office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.74(b).  MOTICE OF APPEAL  2. □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief will include the complex of the properties of t	b) The period for reply expires on: (1) the mailing date of this Advisory	Action, or (2) the date set forth in the final rejection, whichever is later. In
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 117(8) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earmed patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise the issue of new matter (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: *the amendment and the interest of the Amendment (PTOL-324).  Applicant's reply has overcome the following rejection(s):		Y CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO
MOTICE OF APPEAL 2. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set froth in 37 CFR 41.37(a).  AMENDMENTS 3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):	have been filed is the date for purposes of determining the period of extension a under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortene	and the corresponding amount of the fee. The appropriate extension fee d statutory period for reply originally set in the final Office action; or (2) as
filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).  AMENDMENTS  3. A The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They arise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amended limitations in claims 1, 5, 9-10 require further searches and considerations. (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. Applicant's reply has overcome the following rejection(s):	may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  NOTICE OF APPEAL	so months and the maining date of the man operatin, or on it times, mou,
3. ☑ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  (a) ☑ They raise new issues that would require further consideration and/or search (see NOTE below);  (b) ☐ They raise the issue of new matter (see NOTE below);  (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amended limitations in claims 1, 5, 9-10 require further searches and considerations. (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s): ☐ (See 37 CFR 1.121).  6. ☐ Newly proposed or amended claim(s) ☐ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) elipected: 1-12.  Claim(s) objected to: ☐ (Claim(s) elipected: 1-12.  Claim(s) rejected: 1-12.  Claim(s) withdrawn from consideration: ☐ (AFIDAVIT OR OTHER EVIDENCE)  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because be afficial to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence fielded to overcome all rejections under appeal and/or appellant f	filing the Notice of Appeal (37 CFR 41.37(a)), or any extension the Notice of Appeal has been filed, any reply must be filed within the	ereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a
(a)		
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amended limitations in claims 1, 5, 9-10 require further searches and considerations. (See 37 CFR 1.116 and 41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☑ For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) allowed:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. ☑ The request for reconsideration has been considered	(a) ☑ They raise new issues that would require further considera	
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: the amended limitations in claims 1, 5, 9-10 require further searches and considerations.  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows: Claim(s) allowed:  Claim(s) allowed:  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  21. ☐ Note the attached Informati	(c) They are not deemed to place the application in better form	n for appeal by materially reducing or simplifying the issues for
41.33(a)).  4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  5. ☐ Applicant's reply has overcome the following rejection(s):  6. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-12.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER  11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)		onding number of finally rejected claims.
<ul> <li>Applicant's reply has overcome the following rejection(s):</li> <li>Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-12. Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</li> <li>9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</li> <li>10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.</li> <li>REQUEST FOR RECONSIDERATION/OTHER</li> <li>11. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.</li> <li>12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)</li></ul>		re further searches and considerations. (See 37 CFR 1.116 and
<ul> <li>Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>For purposes of appeal, the proposed amendment(s): a) ☑ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-12.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE</li> <li>The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</li> <li>The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</li> <li>The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.</li> <li>REQUEST FOR RECONSIDERATION/OTHER</li> <li>The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.</li> <li>Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)</li> </ul>		attached Notice of Non-Compliant Amendment (PTOL-324).
non-allowable claim(s).  7. For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-12.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  // LINH BLACK/	5. Applicant's reply has overcome the following rejection(s):	
how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-12.  Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  1. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  1. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  //James Trujillo/		if submitted in a separate, timely filed amendment canceling the
Claim(s) objected to: Claim(s) rejected: Claim(s) rejected: Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8.	how the new or amended claims would be rejected is provided be	
Claim(s) rejected: 1-12. Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE  8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)  13. ☐ Other:  /James Trujillo/	Claim(s) allowed:	
<ul> <li>AFFIDAVIT OR OTHER EVIDENCE</li> <li>8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).</li> <li>9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).</li> <li>10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.</li> <li>REQUEST FOR RECONSIDERATION/OTHER</li> <li>11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.</li> <li>12. Note the attached Information <i>Disclosure Statement</i>(s). (PTO/SB/08) Paper No(s)</li></ul>	Claim(s) rejected: <u>1-12</u> .	
because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  13. Other:  14. INH BLACK/	AFFIDAVIT OR OTHER EVIDENCE	
entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.  REQUEST FOR RECONSIDERATION/OTHER  11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.  12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s).  13. Other:  14. /James Trujillo/ /LINH BLACK/	because applicant failed to provide a showing of good and suffici	
REQUEST FOR RECONSIDERATION/OTHER  11. ☑ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:	9. The affidavit or other evidence filed after the date of filing a Notice entered because the affidavit or other evidence failed to overcome	ne <u>all</u> rejections under appeal and/or appellant fails to provide a
<ul> <li>11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: the newly added limitations require further searches and considerations.</li> <li>12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)</li> <li>13. ☐ Other:</li> <li>/James Trujillo/ /LINH BLACK/</li> </ul>		status of the claims after entry is below or attached.
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s)  13. Other:  /James Trujillo/ /LINH BLACK/	11. X The request for reconsideration has been considered but does I	
/James Trujillo/ /LINH BLACK/	12.  Note the attached Information Disclosure Statement(s). (PTO/S	
D		